



KREINDLER & KREINDLER LLP | 485 Lexington Avenue | New York, NY 10017-2629

office: 212.687.8181 | fax: 212.972.9432 | www.kreindler.com

October 15, 2021

Via Email

Honorable Katherine Polk Failla
United States District Court
Southern District of New York
40 Foley Square, Room 2103
New York, New York 10007

MEMO ENDORSED

Re: *United States v. Oladokun et al. (Daryl Bartley)*, 20 cr. 00003 (SDNY) (KPF)

Dear Judge Failla,

I represent Daryl Bartley, who is scheduled to be sentenced in this case on November 5, 2021. At this week's bail review hearing, I raised the possibility of seeking an adjournment to obtain and submit additional medical records from Mr. Bartley's September hospital visits, but upon consultation with my client we have concluded that it would be in his best interests to proceed with the sentencing as scheduled. As of now, Mr. Bartley is hoping that he will not have to request a remote appearance for purposes of sentencing, though he is consulting with his doctors and if that changes we will make the appropriate application under the Southern District of New York's Sixth Standing Order relating to Video Teleconferencing and Telephone Conferencing for Criminal Proceedings. *See* 20-mc-176 (S.D.N.Y.) (CM), ECF No. 7, Filed 09/15/2021, at 3.

In connection with the sentencing, I have been working with the office of Mr. Bartley's treating cardiologist to obtain a letter for the Court that will supplement and give context to the medical records themselves. Because of the physician's hospital schedule this week and next, he is not certain that he can complete that letter by October 22, 2021, when the defense sentencing submission is due under this Court's Individual Rules of Practice in Criminal Cases 7.B. His office has told me that they believe he can complete the letter by either the following weekend or early the next week. In order to review and incorporate any information in that letter into the defense submission (or to consult with the doctor after reviewing his letter), I am therefore asking that the date by which the defense sentencing submission (including all letters and other materials in support) be filed be extended from Friday October 22, 2021 to Tuesday October 26, 2021. The government has told me it does not object to this request and that it will be prepared to file its sentencing submission by the existing deadline of Friday October 29, 2021, even if this Court grants the defense request for an extension of time. This is the first request for an extension of time for the defense sentencing submission.

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Accordingly, I respectfully request that the date by which the defense sentencing submissions be served and filed be extended until Tuesday October 26, 2021 with the government sentencing submission to be served and filed by Friday October, 29, 2021, one week prior to the sentencing date of Friday November 5, 2021.

Respectfully submitted,

/s/

Megan W. Benett

mbenett@kreindler.com

(212) 973-3406

cc: all counsel

Application GRANTED.

Mr. Bartley shall file his sentencing submission on or before
October 26, 2021.

The Clerk of Court is directed to terminate the motion at docket entry 246.

SO ORDERED.

Dated: October 15, 2021
New York, New York

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE